

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:08CR3064
	)	
v.	)	
	)	
BERNE PERKINS,	)	ORDER
	)	
Defendant.	)	
	)	

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IT IS ORDERED:

1. Plaintiff's unopposed motion to exclude speedy trial time, filing no. [35](#), is granted.

2. The ends of justice will be served by granting such a motion, and outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between September 23, 2008 and December 1, 2008 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the need for adequate trial preparation outweighs the interest of the defendant and the public in a speedy trial, and to force the parties to trial without adequate time to prepare would be a miscarriage of justice. [18 U.S.C. § 3161\(h\)\(8\)\(A\) & \(B\)](#).

DATED this 9<sup>th</sup> day of October, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge